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AF/ 3713

UNITED STATES PATENT AND TRADEMARK OFFICE  
Attorney Docket No. 15737US01

In the Application of:

SCOTT OLIVE

Serial No.: 09/462,717

Filed: April 10, 2000

For: SLOT MACHINE GAME AND  
SYSTEM WITH IMPROVED  
JACKPOT FEATURE

Examiner: Kim Nguyen

Group Art Unit No.: 3713

Confirmation No.: 5432

Via Hand Delivery

March 8, 2005

**TRANSMITTAL OF SUPPLEMENTAL  
INFORMATION DISCLOSURE STATEMENT  
AFTER APPLICATION FILING DATE**

MAIL STOP AMENDMENT  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

Dear Examiner Nguyen:

Enclosed is an IDS re-submitting Australian publications referenced in an IDS submitted  
on November 16, 2004, but not initialed by the Examiner.

## **REMARKS**

This submission is in no way intended as an admission that the above-cited references constitute prior art under any subsection of 35 U.S.C. § 102. Applicant expressly retains the right to take any actions necessary to remove the above-cited references from the available prior art.

Consideration of the above-identified references in the examination of the present patent application is respectfully requested.

The Surprise gaming machine advertisement advertises a game sold in Australia by Aristocrat prior to the date of invention of the claimed subject matter. The Surprise gaming machine randomly selects a number, for example a number between 100 and 200, to be stored but not displayed. Each coin inserted into the machine adds a certain percentage to a meter which starts at a value of 0 coins. When the meter reaches the random number amount, for example, 150, the prize is awarded. The meter is then reset to 0. Thus, the Surprise gaming machine randomly selects a dollar amount threshold upon which to award a prize. The pending claims of the present application are distinguishable from the Surprise gaming machine because, among other things, the progressive prize in the pending claims is not awarded when the progressive meter reaches a certain cash value.

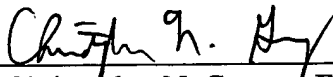
The document entitled "Surprise Software Specification for MV2030 – var 01", a copy of which is included in this submission, describes a modification of the Surprise gaming machine. The Surprise Software Specification describes a method in which the range of a random number generator is changed during a game play based on a coin in amount (or wager amount) for that

game play. The Surprise Software Specification was developed prior to the date of invention of the claimed subject matter. The Surprise Software Specification, like the Torango '460 patent (U.S. Patent No. 6,592,460), changes the odds of winning by changing the range of the random number generator. That is, the Surprise Software Specification for MV2030 – var 01 (and the Torango '460 patent) changes the range of the random number generator during game play based on the wager made. The pending claims of the present application are distinguishable from the Surprise Software Specification and the Torango '460 patent because, among other things, the range of the random number generator in the pending claims does not change during game play.

The Commissioner is hereby authorized to charge any additional fees which may be required or credit any overpayment to Account No. 13-0017.

Respectfully submitted,

March 8, 2005  
Date

  
\_\_\_\_\_  
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|  |  |  |  |                        |                |
|--|--|--|--|------------------------|----------------|
| 1449A/PTO<br>Rev. 10/95  |  | U.S. Department of Commerce<br>Patent and Trademark Office |  | Complete if Known      |                |
| <b>LIST OF PRIOR ART CITED BY APPLICANT</b><br>(use as many sheets as necessary) |  |  |  | Application Number     | 09/462,717     |
|  |  |  |  | Filing Date            | April 10, 2000 |
|  |  |  |  | First Named Inventor   | Olive          |
|  |  |  |  | Group Art Unit         | 3713           |
|  |  |  |  | Examiner Name          | Kim Nguyen     |
| Sheet 1  |  | Of 1   |  | Attorney Docket Number | 15737US01      |

| Examiner Initials* | Cite No. <sup>1</sup> | U.S. Patent Document |                                   | Name of Patentee or Applicant of cited Document | Date of Publication of Cited Document MM-DD-YYYY |
|--------------------|-----------------------|----------------------|-----------------------------------|---|--|
|                    |                       | Number               | Kind Code <sup>2</sup> (if known) |   |  |
|                    | 1                     |                      |                                   |   |  |
|                    | 2                     |                      |                                   |   |  |
|                    | 3                     |                      |                                   |   |  |

| FOREIGN PATENT DOCUMENTS |                       |                     |                         |                                   |   |  |                |
|--------------------------|-----------------------|---------------------|-------------------------|-----------------------------------|---|--|----------------|
| Examiner Initials*       | Cite No. <sup>1</sup> | Office <sup>3</sup> | Foreign Patent Document |                                   | Name of Patentee or Applicant of cited Document | Date of Publication of Cited Document MM-DD-YYYY | T <sup>6</sup> |
|                          |                       |                     | Number <sup>4</sup>     | Kind Code <sup>5</sup> (if known) |   |  |                |
|                          | 4                     |                     |                         |                                   |   |  |                |
|                          | 5                     |                     |                         |                                   |   |  |                |
|                          | 6                     |                     |                         |                                   |   |  |                |

| OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS |                       |   |                 |                |
|---|-----------------------|---|-----------------|----------------|
| Examiner Initials*                                | Cite No. <sup>1</sup> | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date page(s), volume-issue number(s), publisher, country, where published, source. |                 | T <sup>2</sup> |
|   | A                     | Surprize Gaming Machine Advertisement, Aristocrat Leisure Industries, Australia   |                 |                |
|   | B                     | “Surprize Software Specification for MV2030 – var 01”, Aristocrat Leisure Industries, Australia   |                 |                |
|   | C                     |   |                 |                |
|   | D                     |   |                 |                |
|   | E                     |   |                 |                |
| Examiner Signature                                |                       |   | Date Considered |                |

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation not in conformance and not considered. Include copy of this form with next communication to applicant.